

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

CYNTEC COMPANY, LTD.

Plaintiff,

V.

CHILISIN ELECTRONICS CORP.,
CHILISIN AMERICA LTD.,

CASE NO.: 4:18-cv-00939-PJH

Defendants.

~~PROPOSED~~ JUDGMENT FOLLOWING JURY VERDICT

This action came before the Court for a trial by jury beginning August 23, 2021. The jury rendered its verdict on September 1, 2021. The verdict was accompanied by the joint verdict form (D.I. 269), a copy of which is attached hereto as Exhibit A.

On August 31, 2021, the Court issued an oral Order, *inter alia*, granting Plaintiff's motion for judgment as a matter of law of no invalidity of U.S. Patent Nos. 8,922,312 and 9,481,037.

IT IS HEREBY ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of the Plaintiff on the September 1, 2021 verdict as set forth in the attached verdict form and in the Court's August 31, 2021 Order.

IT IS FURTHER NOTED that this Judgment Following Jury Verdict is subject to revision pursuant to any rulings on post-trial motions and/or motions regarding non-jury legal issues.

IT IS SO ORDERED AND ADJUDGED.

September 24, 2021.

By:

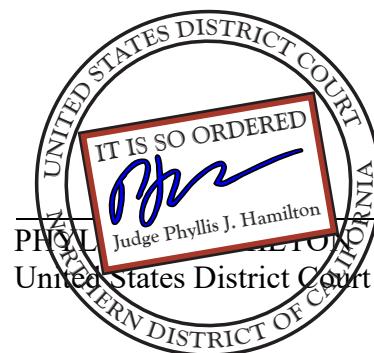


EXHIBIT A

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
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CYNTEC COMPANY, LTD.,

Plaintiff,

v.

CHILISIN ELECTRONICS CORP.,
CHILISIN AMERICA LTD.,

Defendants.

CASE NO.: 4:18-cv-00939-PJH

JOINT VERDICT FORM

Trial Date: August 23, 2021
Time: 8:30 a.m.
Location: Courtroom 3, 3rd Floor
Judge: Hon. Phyllis J. Hamilton

1 **Instructions:** When answering the following questions and filling out this Verdict Form,
2 please follow the directions provided throughout the form. Your answer to each question must
3 be unanimous. Please refer to the Jury Instructions for guidance on the law applicable to the
4 subject matter covered by each question.

QUESTIONS AND ANSWERS

6 We, the jury, unanimously agree to the answers to the following questions and return
7 them under the instructions of this court as our verdict in this case:

9 | U.S. PATENT NO. 8,922,312 (THE '312 PATENT)

FINDINGS ON INFRINGEMENT CLAIMS

11 | A. Direct Infringement

12 1. Has Cyntec proven that it is more likely than not that any Chilisin product infringes
13 any of the following claims of the '312 Patent?

23 || B. Inducing Infringement

24 2. Has Cyntec proven that it is more likely than not: (i) that a third party direct infringer
25 infringed any of the following claims of the '312 Patent; (ii) that Chilisin took action
26 that actually induced that infringement by the third party direct infringer; and (iii) that
27 Chilisin was aware of the patent and believed that its actions would encourage

1 infringement of a valid patent, or alternatively that it was willfully blind as to whether
 2 its actions would encourage infringement of the patent?

3 *Answer the question regarding infringement of the following claims of the*
 4 *'312 Patent with a "Yes" or "No." "Yes" is a finding for Plaintiff*
 5 *Cyntec. "No" is a finding for Defendant Chilisin.*

6	Claim 1	Yes <u>X</u>	No _____
7	Claim 2	Yes <u>X</u>	No _____
8	Claim 5	Yes <u>X</u>	No _____
9	Claim 8	Yes <u>X</u>	No _____
10	Claim 10	Yes <u>X</u>	No _____
11	Claim 18	Yes <u>X</u>	No _____

12 **C. Willful Infringement**

13 3. Has Cyntec proven that it is more likely than not that to the extent Chilisin infringed,
 14 the infringement was willful?

15 *"Yes" is a finding for Plaintiff Cyntec. "No" is a finding for Defendant*
 16 *Chilisin.*

17	Yes <u>X</u>	No _____
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1 **U.S. PATENT NO. 9,481,037 (THE '037 PATENT)**

2 **FINDINGS ON INFRINGEMENT CLAIMS**

3 **A. Direct Infringement**

4 4. Has Cyntec proven that it is more likely than not that any Chilisin product infringes
5 any of the following claims of the '037 Patent?

6 *Answer the question regarding infringement of the following claims of the*
7 *'312 Patent with a "Yes" or "No." "Yes" is a finding for Plaintiff*
8 *Cyntec. "No" is a finding for Defendant Chilisin.*

9 Claim 9 Yes X No _____

10 Claim 12 Yes X No _____

11 **B. Inducing Infringement**

12 5. Has Cyntec proven that it is more likely than not: (i) that a third party direct infringer
13 infringed any of the following claims of the '037 Patent; (ii) that Chilisin took action
14 that actually induced that infringement by the third party direct infringer; and (iii) that
15 Chilisin was aware of the patent and believed that its actions would encourage
16 infringement of a valid patent, or alternatively that it was willfully blind as to whether
17 its actions would encourage infringement of the patent?

18 *Answer the question regarding infringement of the following claims of the*
19 *'037 Patent with a "Yes" or "No." "Yes" is a finding for Plaintiff*
20 *Cyntec. "No" is a finding for Defendant Chilisin.*

21 Claim 9 Yes X No _____

22 Claim 12 Yes X No _____

23 **C. Willful Infringement**

24 6. Has Cyntec proven that it is more likely than not that to the extent Chilisin infringed,
25 the infringement was willful??

26 *"Yes" is a finding for Plaintiff Cyntec. "No" is a finding for Defendant*
27 *Chilisin.*

28 Yes X No _____

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2 **FINDINGS ON DAMAGES (IF APPLICABLE)**

3 7. What lost profits, if any, did Cyntec prove it more likely than not suffered as a result
4 of sales that it would with reasonable probability have made but for Chilisin's
5 infringement?

6 \$ 1,552,493

7
8 8. For those infringing sales for which Cyntec has not proved its entitlement to lost
9 profits, what has it proved it is entitled to as a reasonable royalty:

10 Royalty Rate 5 % Damages \$ 320,463

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12
13 You have now reached the end of the verdict form and should review it to ensure it accurately
14 reflects your unanimous determinations. The Presiding Juror should then sign and date the
15 verdict form in the spaces below and notify the court personnel that you have reached a verdict.
16 The Presiding Juror should retain possession of the verdict form and bring it when the jury is
17 brought back into the courtroom.

18
19 DATE: 9/1/2021

20
21 PRESIDING JUROR SIGNATURE: 